

4. [13-724](#) Kristen Manson, Race Coordinator, Silver Bow Montessori School, requesting Council's authorization for a street closure on November 28, 2013 for the Thanksgiving Day Turkey Trot Fun Run. [Street Closure Form](#) [Maps](#) [All Signatures Received](#). **Recommendation: Concur and Place on File.**
5. [13-725](#) Robert A. Macioroski, Director, Butte-Silver Bow Land Office, requesting Council deny the request of Communication No. 13-675 regarding the acquisition of property through the adjacent land owner policy. [Communication No. 13-675](#) [Letter to Applicant](#) [Adjacent Land Owner Policy](#) **Recommendation: Cross Reference with Communication No. 13-675 and Concur and Place on File.**
6. [13-726](#) Kellee Anderson, Silver Bow County Extension Agent, Montana State University Extension Services, requesting Council's authorization for the Chief Executive to sign a service agreement with Montana State University. [Agreement](#) **Recommendation: Concur and Place on File.**
7. [13-727](#) Kellee Anderson, Silver Bow County Extension Agent, Montana State University Extension Services, requesting Council's authorization for the Chief Executive to sign an agreement with Lee's Office City. [Agreement](#) **Recommendation: Concur and Place on File.**
8. [13-728](#) Kellee Anderson, Silver Bow County Extension Agent, Montana State University Extension Services, requesting Council's authorization for the Chief Executive to sign an agreement with Lee's Office City. [Agreement](#) **Recommendation: Concur and Place on File.**
9. [13-729](#) Kristen Rosa, Administrator, Tax Increment Financing Industrial District (TIFID), requesting Council's authorization to give a Presentation on December 4, 2013 regarding the annual reports of URA, RRA, and the TIFID. **Recommendation: Concur and Schedule a Presentation for December 4, 2013.**
10. [13-730](#) Gary Corbin, Code Enforcement Officer, Community Enrichment Department, requesting Council's authorization to have a Presentation on November 26, 2013 regarding the status on the Montana Junk Motor Vehicle Program. **Recommendation: Concur and Schedule a Presentation on November 26, 2013.**
11. [13-731](#) Steve Maloney, Coordinator of Diabetes Prevention Parade, requesting Council's authorization to have the Diabetes Prevention Parade on December 14, 2013. [Street Closure Form](#) [Map](#) **Recommendation: Refer to the Committee of the Whole Pending Signatures/Approvals.**
12. [13-732](#) Karen Hassler, Butte-Silver Bow Public Works Department, requesting Council's authorization for the Chief Executive to sign an agreement with Northwest Pipe Fittings, Inc. [Agreement](#) **Recommendation: Concur and Place on File.**
13. [13-733](#) Karen Hassler, Butte-Silver Bow Public Works Department, requesting Council's authorization for the Chief Executive to sign an agreement with Schneider Electric. [Agreement](#) **Recommendation: Concur and Place on File.**

14. [13-734](#) Jim Jarvis, Butte-Silver Bow Historic Preservation Officer, requesting Council's authorization for the Chief Executive to sign a professional services agreement with Mitzi Rossillon. [Agreement](#) *Recommendation: Concur and Place on File.*
15. [13-735](#) Jim Jarvis, Butte-Silver Bow Historic Preservation Officer, requesting Council's authorization for a change order with Community Preservation Design regarding the Butte Mineyard Building Conservation Project. [Agreement](#) *Recommendation: Concur and Place on File.*
16. [13-737](#) George Everett, Executive Director, Mainstreet Uptown Butte, requesting Council's authorization for an additional street closure for the previously approved Christmas Stroll 2013 street closures. [Street Closure Form](#) *Recommendation: Refer to the Committee of the Whole Pending Signatures/Approvals.*
17. [13-738](#) Judge Glen Granger, Butte-Silver Bow City Court, requesting Council's authorization for a waiver of the 5-day period without pay and for 160 hours of donated sick leave to be given to Marilyn Starcevich. *Recommendation: Refer to Personnel Committee.*
18. [13-739](#) R. Edward Banderob, 2601 Grand Avenue, Butte, Montana, requesting Council declare the greater Butte-Silver Bow area to be a Fair Free Trade Zone. *Recommendation: Refer to the Committee of the Whole.*
19. [13-740](#) Ellen Crain, Director, Butte-Silver Bow Public Archives, requesting Council's authorization for the Chief Executive to sign a professional services agreement with Mitzi Rossillon. [Agreement](#) *Recommendation: Concur and Place on File.*
20. [13-741](#) Karen Byrnes, Director, Butte-Silver Bow Community Development Department, requesting Council's authorization to hold a Public Hearing on December 4, 2013 regarding the ordinance establishing the creation of an Urban Renewal District. [Notice of Public Hearing](#) *Recommendation: Concur and Schedule a Public Hearing on December 4, 2013.*

SECTION 2 COMMUNICATIONS TO BE READ AND ACTED UPON

[13-720](#) David Schultz, Operations Manager, Water Utility Division, Butte-Silver Bow Public Works Department, requesting time to give an update regarding the demolition of the Brincks/Deluxe Buildings.

[13-736](#) Dennis Henderson, Butte-Silver Bow Commissioner, District No. 5, requesting the District Ranger for the Beaverhead-Deer Lodge National Forest, Dave Sabo, give an update on the status of the proposed haulage route for Timberline Resources.

SECTION 3 ORDINANCES AND RESOLUTIONS REFERRED TO JUDICIARY

**1. COUNCIL BILL NO. [13-15](#)
ORDINANCE NO. [13-15](#)**

AN ORDINANCE AMENDING TITLE 8 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "HEALTH AND SAFETY"; AMENDING CHAPTER 8.12 ENTITLED "UNDESIRABLE VEGETATION CONTROL", AMENDING SECTION 8.12.040; AMENDING SECTION 8.12.070; AMENDING AND RENUMBERING SECTION 8.12.080, 8.12.090 AND 8.12.100; AMENDING SECTION 8.12.110; ADDING A NEW SECTION 8.12.120 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. [Redline](#)

**2. COUNCIL BILL NO. [13-16](#)
ORDINANCE NO. [13-16](#)**

AN ORDINANCE ESTABLISHING THE BUTTE UPTOWN URBAN RENEWAL AREA, CREATING THE BUTTE UPTOWN URBAN RENEWAL DISTRICT AND ADOPTING THE BUTTE UPTOWN URBAN RENEWAL DISTRICT PLAN WITH A TAX INCREMENT FINANCING PROGRAM PURSUANT TO TITLE 7, CHAPTER 15, PART 42 AND 43 OF THE MONTANA CODES ANNOTATED. [Exhibit "A"](#)

SECTION 4 ORDINANCES SECOND READING

**1. COUNCIL BILL NO. [13-14](#)
ORDINANCE NO. [13-14](#)**

AN ORDINANCE AMENDING TITLE 8 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "HEALTH AND SAFETY"; AMENDING CHAPTER 8.04 ENTITLED "WEED CONTROL", AMENDING SECTIONS 8.04.040, 8.04.050, 8.04.110, 8.04.120, 8.04.160, 8.04.170, 8.04.250, 8.04.260, 8.04.270 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. [Redline](#)

SECTION 5 ORDINANCES AND RESOLUTIONS FINAL READING

1. RESOLUTION NO. [13-71](#)

A RESOLUTION AUTHORIZING THE SALE OF A PARCEL OF PROPERTY LOCATED IN THE SW ½ OF THE SW ¼ OF SECTION 15, TOWNSHIP 3 NORTH, RANGE 8 WEST FROM THE GREENWAY SERVICE DISTRICT (GRANTOR) TO THE MONTANA DEPARTMENT OF TRANSPORTATION (GRANTEE) TO BE ACQUIRED AS PUBLIC RIGHT-OF-WAY FOR INTERSTATE MAINTENANCE PROJECT, IM 15-2 (117) 122, ROCKER - EB CLIMBING LANE, AND AUTHORIZING THE RECORDING OF THE APPROPRIATE DEED TO EXECUTE THE LAND TRANSFER AS DESCRIBED HEREIN AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**2. COUNCIL BILL NO. [13-9](#)
ORDINANCE NO. [13-9](#)**

AN ORDINANCE GOVERNING PUBLIC HEALTH, SAFETY AND WELFARE, TO BE NUMBERED CHAPTER 8.26 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) AND TO BE ENTITLED "PUBLIC DRINKING"; PROVIDING FOR ENFORCEMENT; PROVIDING FOR PENALTIES; AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.
[Redline](#)

**3. COUNCIL BILL NO. [13-13](#)
ORDINANCE NO. [13-13](#)**

AN ORDINANCE AMENDING SECTION 4 (16.02) OF ORDINANCE NO. 204 AND SECTION 10.52.020 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "RESTRICTED IN CERTAIN STREETS;" ESTABLISHING RESTRICTIONS ON PARKING ON PARTS OF MONTANA STREET AND IRON STREET ADDING SECTIONS GG, HH, JJ AND KK AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**SECTION 6 SUSPENSION OF THE RULES
FOR FINAL PASSAGE**

1. RESOLUTION NO. [13-73](#)

A RESOLUTION ACCEPTING THE DONATION OF A CERTAIN PARCEL OF REAL PROPERTY DESCRIBED AS BLACKTAIL CANYON ROAD AS SHOWN ON CERTIFICATE OF SURVEY NUMBER 986A-RW, CONSISTING OF APPROXIMATELY THREE POINT FIVE ONE (3.51) ACRES, LOCATED IN SECTION FIFTEEN (15), TOWNSHIP TWO (2), RANGE SEVEN (7) WEST, P.M.M. BUTTE-SILVER BOW, MONTANA FOR THE PURPOSE OF ASSURING THAT BUTTE-SILVER BOW COUNTY HAVE MORE CONTROL OVER THAT PORTION OF BLACKTAIL CANYON ROAD IN ORDER TO MAINTAIN THE ROADWAY, INCLUDING ANY FUTURE UTILITY WORK THAT MAY NEED TO BE DONE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA

SECTION 7 CALENDAR OF OTHER MEETINGS AND EVENTS

November 21	Animal Service Dept. Board	5:30 PM	1 st Floor Conference Rm, Courthouse
November 21	Zoning Board	5:30 PM	Council Chambers, 3 rd Floor, Courthouse
November 26	Port of Montana	8:30 AM	Hub Center, Silver Bow, MT
November 27	Local Emergency Planning	12:00 PM	1 st Floor Conference Rm, Courthouse
December 2	Airport Authority	12:00 PM	Bert Mooney Airport Auth. Admin. Office
December 3	Historic Preservation	5:30 PM	Council Chambers, 3 rd Floor, Courthouse
December 3	Weed Board	7:00 PM	Weed Department
December 4	Board of Health	7:00 AM	Health Department
December 4	Butte AIDS Support Services	7:00 PM	Community Center

ADJOURN

COMMITTEE OF THE WHOLE MEETING REPORT

NOVEMBER 13, 2013

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen,

We, your Committee of the Whole Committee, respectfully recommend as follows:

SECTION 1 PRESENTATION

COMMUNICATION NO. [13-690](#)

TRAVIS EKELSEN, BUILDING INVENTORY TECHNICIAN, HISTORIC PRESERVATION OFFICE, REQUESTING COUNCIL'S AUTHORIZATION TO HAVE A PRESENTATION ON NOVEMBER 13, 2013 REGARDING THE PROCESS OF THE BUTTE-SILVER BOW BUILDING INVENTORY PROJECT.

Recommendation: Presentation Held.

SECTION 2 PRESENTATION

COMMUNICATION NO. [13-698](#)

ED RANDALL, COMMUNITY ENRICHMENT/ANIMAL SERVICE DEPARTMENT, REQUESTING COUNCIL'S AUTHORIZATION TO GIVE A PRESENTATION ON NOVEMBER 13, 2013 REGARDING ANIMAL SERVICES AND THE COMMUNITY ENRICHMENT DEPARTMENT.

Recommendation: Presentation Held.

SECTION 3 COMMUNICATION NO. [12-772](#)

Robert A. Macioroski, Director, Butte-Silver Bow Land Office, requesting Council's acceptance of a land donation of four separate tracts located on the former Washington School site on Idaho St. from the National Affordable Housing Network.

Recommendation: Cross-Reference with Resolution No. 13-72 and Place on File.

SECTION 4 COMMUNICATION NO. [12-823](#)

Theodore L. and Virginia L. Musselman, 115 W. Pacific St., Butte, Montana, requesting Council's authorization to purchase a portion of the 1914 Old Glory Lode 495.

Recommendation: Hold in Abeyance. (Waiting on Survey)

SECTION 5 COMMUNICATION NO. [13-457](#)

Natalie McGillen, LCPC, MHP Clinical Director of Butte Offices of Western Montana Mental Health Center, requesting a land grant from Butte-Silver Bow. [Map](#)

Recommendation: Cross-Reference with Communication No. 13-705 and Place on File.

SECTION 6 COMMUNICATION NO. [13-592](#)

Wallace A. Melcher, President/CEO, Helena Industries, requesting Council grant abatement of past property taxes for leased property owned by Butte-Silver Bow at 305 West Mercury.

Recommendation: Concur and Place on File.

SECTION 7 COMMUNICATION NO. [13-646](#)

Ed Randall, Community Enrichment/ Animal Service Department, requesting Council's authorization to discuss possible changes to the Community Enrichment Department.

Committee of the Whole Sitting as Judiciary Committee.

Recommendation: Made Amendment to Repeal Section 2.92 and Use Section 8.06 as a Means for Appeal.

SECTION 8 COMMUNICATION NO. [13-675](#)

Dana Trandahl, 209 Boardman Street, Butte, requesting Council's authorization to purchase county-owned property adjacent to 209 Boardman Street.

Recommendation: Hold in Abeyance.

SECTION 9 COMMUNICATION NO. [13-677](#)

Robert A. Macioroski, Director, Butte-Silver Bow Land Office, requesting Council approve the donation of property by Phillip and Bernadine Redfern, a portion of Blacktail Canyon Road, and upon Council's approval, to direct the County Attorney's Office to prepare the resolution, deed, and certificate of acceptance for this portion of Blacktail Canyon Road to Butte-Silver Bow County. [Transmittal Request Form](#)

Recommendation: Hold in Abeyance.

SECTION 10 COMMUNICATION NO. [13-690](#)

Travis Eskelsen, Building Inventory Technician, Historic Preservation Office, requesting Council's authorization to have a presentation on November 13, 2013 regarding the progress of the Butte-Silver Bow Building Inventory Project.

Recommendation: Place on File.

SECTION 11 COMMUNICATION NO. [13-698](#)

Ed Randall, Community Enrichment/ Animal Service Department, requesting Council's authorization to give a Presentation on November 13, 2013 regarding Animal Services and the Community Enrichment Department.

Recommendation: Place on File.

SECTION 12 COMMUNICATION NO. [13-703](#)

Dave Palmer, Butte-Silver Bow Commissioner, District No. 12, requesting Council's authorization in allowing for the introduction of an ordinance regarding Veterans Preference in any Butte-Silver Bow government job they have applied for and have met the minimum requirements for that job.

Recommendation: Hold in Abeyance.

Committee Members:

Dan Foley *Present*
Mark Moodry *Present*
Sheryl Ralph *Present*
Brendan McDonough *Present*
Bill Andersen *Present*
Jim Fisher *Present*

Dennis Henderson *Present*
Dave Palmer *Present*
Bud Walker *Present*
John Sorich *Present*
John Morgan, Vice-Chairman *Present*
Cindi Shaw, Chairman *Present*

FINANCE & BUDGET COMMITTEE MEETING REPORT

NOVEMBER 13, 2013

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen,

We, your Finance and Budget Committee, respectfully recommend as follows:

SECTION 1 COMMUNICATION NO. [13-692](#)

Tim Clark, Chair, BSBPL Board of Trustees, asking for Council's consideration and assistance in complying with the 2010 ADA checklist for the Butte-Silver Bow Public Library. [Quote](#)

Recommendation: Note and Place on File.

Expenditure report for the week of November 13, 2013 was approved for the amount of \$282,437.58.

Committee Members:

Dan Foley, Chairman	<i>Present</i>
Mark Moodry, Vice-Chairman	<i>Present</i>
Sheryl Ralph	<i>Present</i>
Brendan McDonough	<i>Present</i>
Bill Andersen	<i>Absent</i>
Jim Fisher	<i>Present</i>

JUDICIARY COMMITTEE MEETING REPORT

NOVEMBER 13, 2013

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen,

We, your Judiciary Committee, respectfully recommend as follows:

SECTION 1 COMMUNICATION NO. [13-523](#)

Bill Andersen, Butte-Silver Bow Commissioner, District No. 10, requesting Council review and possibly change the rules governing handicapped parking on public streets.

Recommendation: Hold in Abeyance.

SECTION 2 COUNCIL BILL NO. [13-9](#) ORDINANCE NO. [13-9](#)

AN ORDINANCE GOVERNING PUBLIC HEALTH, SAFETY AND WELFARE, TO BE NUMBERED CHAPTER 8.26 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) AND TO BE ENTITLED "PUBLIC DRINKING"; PROVIDING FOR ENFORCEMENT; PROVIDING FOR PENALTIES; AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[Redline](#)

Recommendation: Move to 3rd and Final Reading.

SECTION 3 COMMUNICATION NO. [13-581](#)

John Moodry, Supervisor, Butte-Silver Bow Weed Department, requesting Council direct the County Attorney to draft amendments to the Butte-Silver Bow Municipal Code, Chapters 8.04 and 8.12 to accommodate legislative changes made during the last Montana Legislative session with Walkerville being included in the jurisdiction of Chapter 8.12.

Recommendation: Hold in Abeyance.

SECTION 4 COUNCIL BILL NO. [13-13](#) ORDINANCE NO. [13-13](#)

AN ORDINANCE AMENDING SECTION 4 (16.02) OF ORDINANCE NO. 204 AND SECTION 10.52.020 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "RESTRICTED IN CERTAIN STREETS;" ESTABLISHING RESTRICTIONS ON PARKING ON PARTS OF MONTANA STREET AND IRON STREET ADDING SECTIONS GG, HH, JJ AND KK AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Recommendation: Move to 3rd and Final Reading.

SECTION 5 COMMUNICATION NO. [13-707](#)

John Cummings, President, PFLAG Butte, requesting Council's authorization in allowing for the introduction of an ordinance regarding non-discrimination in Butte-Silver Bow to protect the LGBTQ community.

Recommendation: *Hold in Abeyance.*

SECTION 6 RESOLUTION NO. [13-71](#)

A RESOLUTION AUTHORIZING THE SALE OF A PARCEL OF PROPERTY LOCATED IN THE SW ½ OF THE SW ¼ OF SECTION 15, TOWNSHIP 3 NORTH, RANGE 8 WEST FROM THE GREENWAY SERVICE DISTRICT (GRANTOR) TO THE MONTANA DEPARTMENT OF TRANSPORTATION (GRANTEE) TO BE ACQUIRED AS PUBLIC RIGHT-OF-WAY FOR INTERSTATE MAINTENANCE PROJECT, IM 15-2 (117) 122, ROCKER - EB CLIMBING LANE, AND AUTHORIZING THE RECORDING OF THE APPROPRIATE DEED TO EXECUTE THE LAND TRANSFER AS DESCRIBED HEREIN AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Recommendation: *Move to 2nd and Final Reading.*

SECTION 7 COUNCIL BILL NO. [13-14](#) ORDINANCE NO. [13-14](#)

AN ORDINANCE AMENDING TITLE 8 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "HEALTH AND SAFETY"; AMENDING CHAPTER 8.04 ENTITLED "WEED CONTROL", AMENDING SECTIONS 8.04.040, 8.04.050, 8.04.110, 8.04.120, 8.04.160, 8.04.170, 8.04.250, 8.04.260, 8.04.270 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[Redline](#)

Recommendation: *Move to 2nd Reading.*

SECTION 8 CLAIM APPROVAL

NAME	AMOUNT	RECOMMENDATION
Westmoreland Co, Inc	\$153,329.00	<i>Approved</i>
Diana Farrow	\$200.00	<i>Approved</i>
Jeri Ygnatowiz	\$400.00	<i>Approved</i>
Dan Curnow	\$1,500.00	<i>Approved</i>

Committee Members:

Bill Andersen, Chairman	<i>Present</i>
Dan Foley, Vice-Chairman	<i>Present</i>
Dennis Henderson	<i>Present</i>
John Sorich	<i>Present</i>
Bud Walker	<i>Present</i>
Brendan McDonough	<i>Present</i>

PUBLIC WORKS COMMITTEE MEETING REPORT

NOVEMBER 13, 2013

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER
BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen,

We, your Public Works Committee, respectfully recommend as follows:

SECTION 1 COMMUNICATION NO. [13-629](#)

Janis C. Torpey, Chairperson of Ramsay School District #3, requesting assistance from Butte-Silver Bow to provide a school bus turn-a-round at the turn off to Little Basin Creek Road and Beef Trail Road.

Recommendation: Hold in Abeyance.

Committee Members:

Dave Palmer, Chairman	<i>Present</i>
Bud Walker, Vice-Chairman	<i>Absent</i>
Jim Fisher	<i>Present</i>
Dennis Henderson	<i>Present</i>
Sheryl Ralph	<i>Present</i>
John Sorich	<i>Present</i>

PERSONNEL COMMITTEE MEETING REPORT

NOVEMBER 13, 2013

SECTION 1 COMMUNICATION NO. [13-689](#)

Judge Glen Granger, Butte-Silver Bow City Court, requesting Council's authorization for a waiver of the sick leave requirement, the 5-day period without pay, and to use sick-leave hours donated, for Marilyn Starceovich.

Recommendation: Approve and Place on File. Refer Judge Granger to BSB Personnel Policy #321 for Future Requests.

SECTION 2 COMMUNICATION NO. [13-693](#)

Sheriff Ed Lester, Butte-Silver Bow Law Enforcement Department, requesting Council's authorization for a waiver of the sick leave requirement regarding Officer Melissa O'Dell.

Recommendation: Deny and Place on File. Refer Sheriff Lester to BSB Personnel Policy for Future Requests.

Committee Members:

Mark Moodry, Chairman	<i>Present</i>
Dennis Henderson, Vice- Chairman	<i>Present</i>
Bud Walker	<i>Absent</i>
Dave Palmer	<i>Present</i>
Sheryl Ralph	<i>Present</i>